

REMARKS

Claims 1-6 are pending in this application. By this Amendment, claim 1 is amended to distinguish the subject matter over the references cited in the Office Action.

No new matter is added to the application by this Amendment.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments:

(a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; and (c) place the application in better form for appeal, should an appeal be necessary. In more detail, the present amendments do not raise any new issues because the amendments to claim 1 merely delete subject matter, and the remaining subject matter has already been considered by the Patent Office. Entry of the amendments thus will not require further search and/or consideration by the Patent Office.

Finally, the amendments are necessary and were not earlier presented because the amendments are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Reconsideration of the application is respectfully requested.

I. Rejections under 35 U.S.C. §102(b)

A. Shea et al.

Claims 1-6 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,459,358 to Shea et al. The rejection is respectfully traversed.

The Patent Office alleges that the aliphatic diepoxide including diglycidyl ether of ethylene, propylene or butylenes glycol in Shea et al. is equivalent to the epoxidized polyolefin or the polyol-based epoxy resin in claim 1. Claim 1 is amended to delete the epoxidized polyolefin and the polyol-based epoxy resin as possible flexible epoxy resins.

Shea et al. nowhere describes any of the flexible epoxy resins recited in amended claim 1. Thus, nowhere does Shea et al. disclose the recited thermistor body of claim 1.

In view of the foregoing, Shea et al. fails to disclose each and every limitation of independent claim 1, and thus cannot anticipate claim 1, or any of the additional features recited in dependent claims 2-6. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

B. Cole et al.

Claims 1-6 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,362,722 to Cole et al. The rejection is respectfully traversed.

The Patent Office alleges that the low viscosity polyglycol epoxy resins of Cole et al. are equivalent to the polyol-based epoxy resin in claim 1. Claim 1 is amended to delete the polyol-based epoxy resin as a possible flexible epoxy resin.

Therefore, Cole et al. nowhere describes any of the flexible epoxy resins recited in amended claim 1. Thus, nowhere does Cole et al. disclose the recited thermistor body of claim 1.

In view of the foregoing, Cole et al. fails to disclose each and every limitation of independent claim 1, and thus cannot anticipate claim 1, or any of the additional features recited in dependent claims 2-6. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

C. Handa

Claims 1-6 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,452,476 to Handa. The rejection is respectfully traversed.

The Patent Office alleges that the unsaturated polyester of Handa is equivalent to the polyol-based epoxy resin in claim 1. Claim 1 is amended to delete the polyol-based epoxy resin as a possible flexible epoxy resin.

Therefore, Handa nowhere describes any of the flexible epoxy resins recited in amended claim 1. Thus, nowhere does Handa disclose the recited thermistor body of claim 1.

In view of the foregoing, Handa fails to disclose each and every limitation of independent claim 1, or any of the additional features recited in dependent claims 2-6. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

D. Baigrie et al.

Claims 1-6 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,250,228 to Baigrie et al. The rejection is respectfully traversed.

The Patent Office alleges that the epoxies including polyhydric alcohol and polyglycol diepoxides described in Baigrie et al. are equivalent to the polyol-based epoxy resin in claim 1. Claim 1 is amended to remove the polyol-based epoxy resin as a possible flexible epoxy resin.

Therefore, Baigrie et al. nowhere describes any of the flexible epoxy resins recited in claim 1. Thus, Baigrie et al. fails to teach or suggest the recited thermistor body of claim 1.

In view of the foregoing, Baigrie et al. fails to disclose each and every limitation of independent claim 1, and thus cannot anticipate claim 1, or any of the additional features recited in dependent claims 2-6. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

II. Rejection under the Doctrine of Obviousness-Type Double Patenting

Claims 1, 2 and 4 are provisionally rejected under the doctrine of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1 and 11 of copending U.S. Patent Application Serial No. 11/092,643 (hereinafter "the '643 Application").

As discussed above, all of the prior art rejections are overcome.

As discussed in the MPEP, because the '643 Application has a later filing date than the present application, Applicant submits that the provisional rejection should be withdrawn and the present application allowed to issue. MPEP §804(I)(B)(1) states:

If a "provisional" nonstatutory obviousness-type double patenting (ODP) rejection is the only rejection remaining in the earlier filed of the two pending applications, while the later-filed application is rejectable on other grounds, the examiner should withdraw that rejection and permit the earlier-filed application to issue as a patent without a terminal disclaimer.

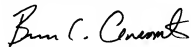
Accordingly, withdrawal of this provisional rejection is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-6 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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